



**4910-13**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**Docket No. FAA-2011-0654; Airspace Docket No. 11-AWP-8**

**RIN 2120-AA66**

**Proposed Modification of VOR Federal Airways V-135 and V-137; Southwest United States**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify very high frequency omnidirectional range (VOR) Federal airways V-135 and V-137 by extending the airways to the Mexicali, Mexico VOR/DME. This action would enhance navigation and air traffic control coordination for aircraft proceeding across the United States - Mexican border.

**DATES:** Comments must be received on or before [insert date 45 days from date of publication in the FEDERAL REGISTER].

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C. 20590-0001; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2011-0654 and Airspace Docket No. 11-AWP-8 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace, Regulations and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2011-0654 and Airspace Docket No. 11-AWP-8) and be submitted in triplicate to the Docket Management Facility (see “ADDRESSES” section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA-2011-0654 and Airspace Docket No. 11-AWP-8.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report

summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

### **Availability of NPRM's**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see "ADDRESSES" section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Western Service Center, Federal Aviation Administration, 1601 Lind Avenue, SW, Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### **The Proposal**

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to extend two existing VOR Federal airways to the Mexicali, Mexico VOR/DME. V-135 would be amended by adding a segment between the Mexicali VOR/DME and the Bard, AZ VORTAC. V-137 would be amended by adding a segment between the Mexicali VOR/DME and the Imperial, CA VORTAC. These amendments would benefit cross-border navigation.

Additionally, fixes would be established at the border crossing points to simplify air traffic control coordination of flights.

VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9V signed August 9, 2011 and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of

airspace. This regulation is within the scope of that authority as it modifies the route structure as required to preserve the safe and efficient flow of air traffic.

### **Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” prior to any FAA final regulatory action.

### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

### **PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9V, Airspace Designations and Reporting Points, signed August 9, 2011 and effective September 15, 2011, is amended as follows:

#### **Paragraph 6010--VOR Federal airways**

\* \* \* \* \*

#### **V-135 [Amended]**

From Mexicali, Mexico; VIA Bard, AZ; Blythe, CA; Parker, CA; Needles, CA; Goffs, CA; Beatty, NV; INT Beatty 326°(T)/310°(M) and Tonopah, NV, 223°(T)/206°(M) radials; to Tonopah. The airspace within R-4807 and the airspace within Mexico is excluded.

**V-137 [Amended]**

From Mexicali, Mexico; via Imperial, CA; INT Imperial 350°(T)/336°(M) and Thermal, CA 144°(T)/131°(M) radials; Palm Springs, CA; Palmdale, CA; Gorman, CA; Avenal, CA; Priest, CA; Salinas, CA. The airspace within Mexico is excluded.

Issued in Washington, DC, on December 14, 2011.

Gary A. Norek  
Acting Manager, Airspace, Regulations and ATC Procedures Rules Group

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